

UNITED STATES DISTRICT COURT
SOUTHERN DISTRICT OF ALABAMA
SOUTHERN DIVISION

KEYPORT WAREHOUSING, INC.,)	
)	
Plaintiff / Counterclaim Defendant,)	
)	
v.)	CIV. ACT. NO. 1:22-cv-100-TFM-N
)	
CROWN-LOXLEY I, LLC,)	
)	
Defendant / Counterclaim Plaintiff.)	

ORDER

Pending before the Court is the *Joint Stipulation of Dismissal With Prejudice* (Doc. 106, filed 3/22/24) in which the parties jointly agree to dismiss all claims with prejudice. The Rules of Civil Procedure permit a plaintiff to voluntarily dismiss the action without an order of the court “by filing a notice of dismissal before the opposing party serves either an answer or a motion for summary judgment” or “a stipulation signed by all parties who have appeared.” FED. R. CIV. P. 41(a)(1)(A). Fed. R. Civ. P. 41(c) applies the same standards of Rule 41(a) to the dismissal of counterclaims, cross claims, and third-party claims.

Here, the joint stipulation is signed by both sides. Consequently, by operation of Fed. R. Civ. P. 41(a)(1)(A)(ii), this action has been dismissed in accordance with the joint notice. Therefore, this case is dismissed with prejudice with each party to bear their own attorneys’ fees and costs.

The Clerk of the Court is **DIRECTED** to close this case.

DONE and **ORDERED** this 22nd day of March 2024.

/s/ Terry F. Moorner
TERRY F. MOORER
UNITED STATES DISTRICT JUDGE